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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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10 UNITED STATES OF AMERICA,) No. CR 09-719 EMC
11 Plaintiff,)
12 v.) STIPULATION and [PROPOSED]
13 GREGORY ALEXANDER,) ORDER TO CONTINUE STATUS
Defendant.) CONFERENCE
14) Date: October 26, 2011
15) Time: 2:30 p.m.
16) Court: The Honorable Edward M. Chen

17 Undersigned counsel stipulate as follows:

18 1. A status conference is currently scheduled in this matter on October 26, 2011 at
19 2:30 p.m. The purpose of the status conference is to advise the Court as to the
20 status of a potential disposition of the case;

21 2. The parties hereby advise the Court that the government has made an official offer
22 to Mr. Alexander, and the parties are conferring over some specific terms of the
23 offer. The government has now provided the necessary discovery to the defendant
24 regarding restitution, but the defense also needs additional time to review that
25 discovery and make sure the amount requested is appropriate;

26 3. Accordingly, Mr. Alexander requests a continuance of the status conference for
27 this purpose;

28 4. Government counsel has no objection to defense counsel's request for additional

1 time, given the outstanding discovery;

2 5. The parties jointly request November 23, 2011 at 2:30 p.m. as the next date before
3 the Court;

4 6. The parties jointly request that the Court exclude the period of time between
5 October 26, 2011 and November 23, 2011 under the Speedy Trial Act for
6 effective preparation of counsel; namely, counsel needs more time to analyze and
7 review the restitution-related discovery. *See* 18 U.S.C. § 3161(h)(7)(A) and
8 (b)(iv).

9 IT IS SO STIPULATED.

10 DATED: October 25, 2011

11 _____/S/_____

12 ELIZABETH M. FALK
13 Assistant Federal Public Defender

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15 DATED: October 25, 2011

16 _____/S/_____

17 MICHELLE KANE
18 Assistant United States Attorney

19 I hereby attest that I have on file all holographic signatures indicated by a "conformed"
20 signature (/S/) within this efiled document.

21 **[PROPOSED] ORDER**

22 GOOD CAUSE APPEARING, it is hereby ORDERED that the status conference,
23 previously scheduled for October 26, 2011 is hereby CONTINUED to November 23, 30
24 2011 at 2:30 p.m.. The Court further orders and finds, pursuant to 18 U.S.C. §
25 3161(h)(7)(A) and (B)(iv) and the reasons stated in this stipulation, that the failure to grant the
26 requested continuance would deny defense counsel the reasonable time necessary for effective
27 preparation of a defense. Accordingly, the Court will exclude the time period from October 26,
28 30 2011 to November 23, 2011 from the Speedy Trial calculation, and finds that the ends of

1 justice served by granting the requested two-week continuance outweighs the best interest in the
2 defendant and the public in a speedy trial.

3 18 U.S.C. § 3161(h)(7)(A) and (B)(iv)

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5 IT IS SO ORDERED.

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7 DATED: 10/26/11

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